

REMARKS

Applicant has amended claims 1 and 6. The claim language is supported by the as-filed specification, e.g., paragraphs [0042]-[0046] and Fig. 5 (elements 2A-2D). No new matter has been introduced by this amendment. Claims 1-12 are currently pending.

The Office Action set forth the following 35 U.S.C. § 103(a) rejections:

- Claims 1-3 and 6 were rejected based on JP 10286687 to Kinoshita et al. ("Kinoshita") in view of U.S. Patent No. 4,059,876 to Ditto et al. ("Ditto") and DE 19909390 to Nowotny et al. ("Nowotny");
- Claim 4 was rejected based on Kinoshita, Ditto, and Nowotny in view of U.S. Patent No. 6,838,638 to Satou et al.;
- Claim 5 was rejected based on Kinoshita, Ditto, and Nowotny in view of JP 2891378 to Mihashi;
- Claim 7 was rejected based on Kinoshita, Ditto, and Nowotny in view of U.S. Patent No. 6,717,106 to Nagano et al.;
- Claim 8 was rejected based on Kinoshita, Ditto, and Nowotny in view of U.S. Patent Publication No. 2002/0003132 to Scalzotto;
- Claims 9 and 10 were rejected based on Kinoshita, Ditto, and Nowotny in view of U.S. Patent No. 5,571,430 to Kawasaki et al.;
- Claim 11 was rejected based on Kinoshita, Ditto, and Nowotny in view of U.S. Patent No. 5,837,960 to Lewis et al.; and
- Claim 12 was rejected based on Kinoshita, Ditto, and Nowotny in view of JP 05-311385 to Yomo et al.

Applicant respectfully requests reconsideration and withdrawal of the rejections for the following reasons.

Amended claim 1 recites, among other things, "a coaxial nozzle comprising . . . four powdery material-introductory portions spaced from each other at 90° intervals in a circumferential direction."

None of the cited references discloses or suggests the above-quoted feature. In the proposed combination of Kinoshita, Ditto, and Nowotny in the Office Action, Nowotny was cited for its alleged disclosure of "a coaxial nozzle (3) comprising a supply

of powdery material, a swirling chamber (1), and a rectifier (2)." Office Action at 3. Nowotny discloses openings 11, as shown in Figure 1. Nowotny, however, does not disclose any structural element corresponding to the "four powdery material-introductory portions spaced from each other at 90° intervals in a circumferential direction." Further, the as-filed specification discloses that having these four powdery material-introductory portions evenly spaced would improve supply of the powdery material in equal amounts based on the inclination angle of a coaxial nozzle. See as-filed specification, paragraphs [0042]-[0046]. Nowotny does not provide any suggestion of modifying openings 11 in achieving such control in the supply amounts. None of the other cited references disclose or suggest a "coaxial nozzle" including "four powdery material-introductory portions spaced from each other at 90° intervals in a circumferential direction" or to "supply a powder material," and thus they do not overcome the deficiencies of Nowotny.

Accordingly, amended claim 1 should be allowable over the cited references.

Claims 2-5 depend from claim 1, and incorporate all of the features of amended claim 1.

Claims 2-5 also should be allowable for reasons at least the same as those set forth for claim 1.

Independent claim 6 has been amended to recite features similar to the above-discussed features of claim 1. Claim 6, and its dependent claims 7-12, should be allowable for reasons at least similar to those explained above for claim 1.

In light of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this application, withdrawal of all of the pending rejections, and timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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